

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Chester V. Jones,

Case No. 22-cv-2144 (WMW/JFD)

Petitioner,

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

v.

Keith Ellison,

Respondent.

This matter is before the Court on the January 18, 2023 Report and Recommendation (R&R) of United States Magistrate Judge John F. Docherty. (Dkt. 25.) The R&R recommends that Petitioner Chester V. Jones's Amended Petition for a Writ of Habeas Corpus be dismissed without prejudice for failure to prosecute under Rule 41(b), Fed. R. Civ. P.

No objections to the R&R have been filed and the time to do so has elapsed. In the absence of timely objections, this Court reviews a R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The January 18, 2023 R&R, (Dkt. 25), is **ADOPTED**.

2. Petitioner Chester V. Jones's amended petition, (Dkt. 18), is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 23, 2023

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge